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TO RUEHC/SECSTATE WASHDC IMMEDIATE 5850  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY  
RUEHBJ/AMEMBASSY BEIJING PRIORITY 6725  
RUEHBY/AMEMBASSY CANBERRA PRIORITY 9389  
RUEHUL/AMEMBASSY SEOUL PRIORITY 5238  
RUEHKO/AMEMBASSY TOKYO PRIORITY 1349  
RUEHCHI/AMCONSUL CHIANG MAI PRIORITY 6111  
RHEHNSC/NSC WASHDC PRIORITY  
RUEAIIA/CIA WASHINGTON DC PRIORITY  
RHEFDIA/DIA WASHDC PRIORITY  
RUEKJCS/SECDEF WASHINGTON DC PRIORITY  
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SENSITIVE  
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SUBJECT: THAI PARLIAMENT OFFERS ASSENT FOR UPCOMING ASEAN  
AGREEMENTS

REF: BANGKOK 209

11. (SBU) Summary: After several months of delays, the Thai parliament on January 27 approved 41 ASEAN-related draft agreements, as required by the 2007 Thai Constitution, but sent two agreements to a specially-established scrutiny committee before final approval. The votes allow the RTG to sign agreements with its counterparts during the upcoming ASEAN Summit and avoid the embarrassment of hosting an event but being legally unable to endorse summit agreements.

12. (SBU) Comment: These agreements were first introduced for parliamentary approval by the previous PM-Somchai-led government several months ago, but did not reach a vote for approval until now due to the political turbulence in Thailand and a change in governments. The opposition -- which had initially introduced the agreements under Somchai -- engaged in some parliamentary maneuvers intended more to embarrass the government rather than to block these agreements. In the end, only a handful of legislators voted against the proposals. As septel will report, allies of former Prime Minister Thaksin are likely to continue to focus attention on FM Kasit's ties to the People's Alliance for Democracy (PAD) and have announced their intention to stage protests during the ASEAN Summit, scheduled for February 27-March 1. End Summary and Comment.

Parliament approves ASEAN documents, finally  
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13. (SBU) Article 190 of the 2007 Thai Constitution requires the RTG to obtain parliamentary approval before signing certain types of agreements with foreign governments; the intent of the Constitution's drafters was to allow for more parliamentary oversight of executive actions. The Constitutional Court has indicated in at least one ruling that the RTG ought to interpret this provision broadly and err on the side of seeking parliamentary approval. Among the important ASEAN-related documents under review were the draft Bangkok Declaration on the Roadmap for an ASEAN Community and a draft framework for the new ASEAN human rights body mandated by the ASEAN Charter. Parliament also approved free trade agreements between ASEAN and partner countries India, China, Australia, and New Zealand. Suriya Chindawongse, Counselor from the MFA Department of ASEAN Affairs, told us on January 28 that the legislative session had proceeded well, and that neither side in the parliament wanted to use the ASEAN agreements as a political issue. He said that the bulk of the discussions were focused on the economic

agreements.

¶4. (SBU) The first day of debate did not go as smoothly as the MFA might have hoped, however. Opposition MPs focused the debate on the credentials and qualifications of Foreign Minister Kasit Piromya. They complained that Kasit was ill-suited to represent Thailand during the ASEAN Summit because he had played a supporting role in the PAD protests, which resulted in the week-long occupation of Bangkok's international airports late last year. The opposition also cited his harsh rhetoric against Cambodian Prime Minister Hun Sen when border tensions erupted over the Preah Vihear Temple in 2008. After returning from his January 27 visit to Cambodia (reftel), Kasit defended himself against the opposition MPs by saying that his remarks about Hun Sen were justified at the time, given the border tension. Kasit also highlighted that the international community had welcomed his appointment as Foreign Minister.

¶5. (U) Note: The legislative session resolved to set up a scrutiny committee to study two draft agreements in a 15-day timeframe. One sub-committee will examine the role and responsibility of the ASEAN human rights commission, and the other sub-committee will oversee the legal issues under the ASEAN Charter. This scrutiny committee will be comprised of 36 members representing the Senate, coalition parties, and opposition parties. After the completion of the committee's scrutiny, the two agreements will be returned to the joint House-Senate session for final voting.  
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